

FEB 17 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Nancy J. Bump et al.

Serial No.: 09/815,341

ART UNIT: 1631

Filed: March 22, 2001

EXAMINER: Smith, Carolyn L.

Entitled: METHOD OF IDENTIFYING  
INHIBITORS OF TIE-2

Atty. Docket No.: BBC-069

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450,  
Alexandria, VA 22313-1450CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8The undersigned hereby certifies that under 37 CFR 1.8(a) that this correspondence is being facsimile transmitted to facsimile number 571-273-8300, to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated belowFebruary 17, 2006

date of mailing and signature

  
Daphne MillerTRANSMITTAL LETTER

Sir/Madam:

Transmitted herewith are: ☒ Request for Continued Examination (RCE) Transmittal (in duplicate); and  
☒ Preliminary Amendment to be filed in the above-identified patent application.FEE FOR ADDITIONAL CLAIMS

- ☒
- A fee for additional claims is not required.
- 
- ☐
- A fee for additional claims is required. The additional fee has been calculated as shown below:

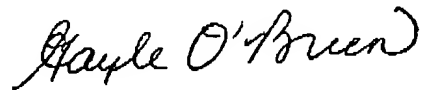
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXCESS CLAIMS	RATE	FEES DUE
TOTAL CLAIMS			0	× \$18	= 0.00
INDEPENDENT			0	× \$84	= 0.00
FIRST INTRODUCTION OF MULT. DEPENDENT CLAIM				+\$280	= 0.00
TOTAL FEES DUE					= 00.00

Attorney Docker No.: BBC-069  
Serial No. 09/815,341

**PETITION FOR EXTENSION OF TIME**

- [ X ] Extension is requested under 37 CFR 1.136(a), and the following extension fee is applicable for the paper(s) filed herewith: [ ] \$120.00 for response within first month pursuant to 37 CFR 1.17(a)(1);  
[ x ] \$450.00 for response within second month pursuant to 37 CFR 1.17(a)(2);  
[ ] \$1020.00 for response within third month pursuant to 37 CFR 1.17(a)(3);  
[ ] \$1,590.00 for response within fourth month pursuant to 37 CFR 1.17(a)(4);  
[ ] \$2,160.00 for response within fifth month pursuant to 37 CFR 1.17(a)(5);
- [X] The Commissioner is hereby authorized to charge payment of any fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 010025. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



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Agent for Applicants  
Reg. No. 48,812  
Abbott Bioresearch Center  
100 Research Drive  
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on February 17, 2006  
Date

*Daphne Miller*  
Signature

Daphne Miller  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal Letter (in duplicate)  
Request for Continued Examination (RCE) Transmittal (in duplicate)  
Preliminary Amendment

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/30 (04-05)

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### Instruction Sheet for RCEs

(not to be submitted to the USPTO)

#### NOTES:

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing date.

##### Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

##### Filing Requirements:

**Prosecution in the application must be closed.** Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under *Ex parte Quayle*). See 37 CFR 1.114(b).

**A submission and a fee are required at the time the RCE is filed.** If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

#### WARNINGS:

##### Request for Suspension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does not satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

##### Improper RCE will NOT toll Any Time Period:

**Before Appeal** - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the Improper RCE.

**Under Appeal** - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

See MPEP 706.07(h) for further information on the RCE practice.

PTO/SB/30 (04-05)

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***Before Appeal*** - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

***Under Appeal*** - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.01.

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